

REMARKS

The office action has been carefully considered together with the present application and several claims have been amended to more accurately define the present invention and clearly distinguish the claimed invention from the unrelated patents that have been cited and applied.

The examiner has objected to the use of "the device" at line 8 of claim 1. It is common for experienced practitioners to use "the" to modify structure from the preamble, and to use "said" to modify structure from elements of the claim outside of the preamble. That is what was done here. There is no lack of antecedent basis inasmuch as there is only one device that could be referred to.

The examiner has rejected all claims under 35 U.S.C. 102(e) as being anticipated by Colby et al. ("Colby"), but has not explained how claims 3-5 are anticipated. The examiner has also separately rejected claims 3-5 under 35 U.S.C. under 103 over Colby in view of Moher.

Applicant has amended claims 1, 3 and 7-10. Claim 3 has been amended to incorporate the subject matter of claim 1 and all amended claims have been amended to state that the peripheral device has printer, scanner and/or fax functionality to clear differentiate the claims from the subject matter of Colby, which has virtually nothing to do with the claimed invention and therefore fails to anticipate, teach or suggest the method claimed in claims 1-7, the computer program product of claims 8 and 9 or the system as claimed in claims 10-15.

The examiner has now identified the text of column 29, lines 7-43 rather than the previously identified text of column 6, lines 16-56 as meeting the activating and requesting steps. The newly cited text is no more relevant than the prior text and both of the identified texts have nothing to do with these steps in the context of the method as now claimed in claim 1. Colby is directed to a broadcast manager which monitors usable network resources, tracks current data streams in the data network and tracks network resources that are used by the current data streams to determine how resources are to be allocated. The system constructed according to the Colby patent may be used to provide multimedia distribution service enabling publishers to

register multimedia presentations with the service enable and enables viewers to view these presentations. The system is stated to include a broadcast manager as described and other components such as a scheduler, a publisher and a firewall tunnel server. The publisher is stated to provide management services for publishers including initial sign-up, account maintenance, credit card processing, access and broadcast authorization and usage tracking. The firewall tunnel server enables connections to be made from the server to the publisher in the event the connections are normally blocked by firewalls.

All of these descriptions of the invention which are set forth in the abstract as well as portions of the summary of the invention clearly describe a system that is far removed from the applicant's invention as claimed. Colby has nothing to do with providing technical support documents to a peripheral device that has printer, scanner and/or fax functionality via the internet from a web server having access to the requested technical support documents where the peripheral device is of the type which is capable of executing activated operating events and having an associated web client with a stored default URL for accessing the web server.

Applicant's method is directed to aiding a user of a peripheral device such as a printer, scanner, fax machine or a multi-functional peripheral device which may perform various events if and when errors or other difficulties are encountered, by providing technical support documents to the user for helping the user to correct a problem. Colby is not concerned with such difficulties or a solution to such difficulties.

The method of amended claim 1 comprises the steps of activating an event on the device, requesting the default uniform resource locator with the activated event and returning to the device one or more of the technical support documents that relate to the activated event of the requested uniform research locator. Colby simply does not anticipate, teach or suggest these specific steps. Colby does not discuss, or even remotely suggest the step of requesting the default uniform resource locator that is associated with the activated event. Colby does not teach or suggest supplying technical support documents at all and particularly technical support documents that

relate to the activated event. A careful review of the Colby patent revealed that it does not mention technical support documents at all in its text.

With regard to amended claim 3, Colby certainly does not anticipate, teach or suggest this claim which includes the step of reading a device state table of the peripheral device and obtaining a most recent activated event from the device state table in determining whether the most recently activated event produced an error. Colby does not mention a state table in its entire specification and has nothing that is even remotely suggestive of the subject matter of this claim. Moher does not supply the deficiencies of Colby, as it similarly fails to even mention a device state table in its specification.

The combination of Colby and Moher is also improper. Moher has nothing to do with the method of claim 3. It is evident that the examiner merely ran a word search for error event and found it in column 44, line 63 of this patent. The examiner cites lines 60-67 of column 44, which reads as follows:

From (132), it is clear that the asymptotic efficiency of the conventional detector rapidly decreases to zero as the number of users increases; however, the number of minimum distance error events is one. If all minimum distance events produced an error and the bits are equiprobable, this corresponds to an error floor of $1/2 \cdot \sup K$.

It is clear that this text has nothing to do with the subject matter of claim 3. Moher is concerned with "the joint detection of multiple digital signals that are forward error correction coded and share the same transmission medium in a manner that causes mutual interference". Error correction of digital signals represents the use of the word *error* in a totally different context that is involved in claim 3. One of ordinary skill in the art would not have any reason to consult this patent. The examiner's statement of motivation to combine is ludicrous on its face: "One of ordinary skill in the art at the time of the invention was made to implement the teachings of Moher into the computer system of Colby to have producing [sic] an error because it would have an efficient system that can provide specific functions that allows [sic] the permissible interference to be increased and bandwidth to be

conserved." Applicant's entire specification makes no mention of the notion of *interference* or conservation of *bandwidth*, so the purported motivation to combine these references is totally contrived. Not only that, but Moher is classified in class 714 for error detection/correction and fault detection/recovery, subclass 780 --using symbol reliability information (e.g., soft decision) and Colby is classified in class 709 for electrical computers and digital processing systems: multicomputer data transferring, subclass 217 --remote data accessing. These are non-analogous patents

Claim 4 is also not anticipated, taught or suggested by Colby for the reason that it does not even remotely suggest requesting the default uniform resource locator without an activated event when the most recently activated event did not produce an error, and Moher does not supply Colby's deficiencies.

The method of claim 7 is certainly not anticipated, taught or suggested by Colby for the reason that it does not meet the step of obtaining a most recently activated event from the device state table among other reasons. The computer program product of Claim 8 is not anticipated, taught or suggested by Colby because it does not include the element obtain a most recently activated event from a device state table in a peripheral device computer.

Colby fails to anticipate, teach or suggest claim 9 because it does not obtain a default uniform resource locator from firmware of the peripheral device nor does it return to the device one or more technical support documents relating to the selected event of the requested uniform resource locator.

Colby fails to anticipate, teach or suggest the system of claim 10 because it is not directed to a system for providing technical support documents to a peripheral device and does not have or suggest a peripheral device that has printer, scanner and/or fax functionality and having a web client for requesting a relevant technical support document of an activated event as claimed or a web server for servicing the default uniform resource locator by returning the relevant technical support document relating to the selected event.

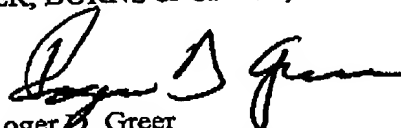
To the extent not individually addressed above, the dependent claims necessarily include the features of the claims from which they depend and additionally recite other features that are not found in the independent and intervening claims, and are therefore believed to be allowable.

For the foregoing reasons, reconsideration and allowance of all claims that are presently pending in the application is respectfully requested.

Respectfully submitted,

GREER, BURNS & CRAIN, LTD.

By


Roger D. Greer
Registration No. 26,174

September 29, 2005

300 South Wacker Drive
Suite 2500
Chicago, Illinois 60606
(312) 360-0080
Customer No. 24978

P:\DOCS\3427\63091\917776.DOC